

CLEAN AIR ACT7-161. Decision-Making on Exceptional Events

1. **AUTHORITY.** To determine whether a submitting air agency has provided exceptional events documentation that satisfies the technical and procedural requirements in 40 C.F.R. Parts 50 and 51 (Sections 50.1, 50.14, and 51.930) and, as appropriate, to concur or non-concur with an air agency's request to exclude data within the Air Quality System database.
2. **TO WHOM DELEGATED.** Director, Air and Radiation Division.
3. **LIMITATIONS.**
 - a. The delegated official must consult with the assistant administrator or designee, Office of Air and Radiation, and the general counsel, or designee, where a determination involves a deviation from exceptional-events-implementation guidance.
 - b. The delegated official must consult with technical and policy staff within the Office of Air Quality Planning and Standards before making a determination of whether a submitting air agency has provided exceptional events documentation that satisfies the technical and procedural requirements in 40 C.F.R. Parts 50 and 51.
 - c. The assistant administrator or designee, OAR, may determine whether a submitting air agency has provided exceptional events documentation that satisfies the technical and procedural requirements in 40 C.F.R. Parts 50 and 51 (50.1, 50.14 and 51.930) when the event in question affects multiple U.S. Environmental Protection Agency regions and/or presents an issue of national consistency.
4. **REDELEGATION AUTHORITY.**
 - a. The above authorities may be redelegated to the branch chief level, or equivalent, and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Section 319(b) of the Clean Air Act as amended by Section 6013 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users.



Debra H. Thomas
Acting Regional Administrator

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Date